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10/648,858	08/25/2003	Atsushi Shibutani	03507/LH	4194

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EXAMINER
PRABHAKHER, PRITHAM DAVID

ART UNIT	PAPER NUMBER
2622	

DATE MAILED: 12/14/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/648,858	SHIBUTANI, ATSUSHI	
	Examiner	Art Unit	
	Pritham Prabhakher	2622	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *25 August 2003*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-20* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1 and 3-20* is/are rejected.

7)☒ Claim(s) *2* is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☒ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *25 August 2003* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date *01/26/2006*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Specification

The disclosure is objected to because of the following informalities:

On Page 11, Figure 24 should instead be Fig 2A.

Appropriate correction is required.

Claim Rejections - 35 USC § 101

35 U.S.C. 101 reads as follows:

> Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claim 19 is rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter as follows. Claim 19 defines a computer program embodying functional descriptive material. However, the claim does not define a computer-readable medium or memory and is thus non-statutory for that reason (i.e., "When functional descriptive material is recorded on some computer-readable medium it becomes structurally and functionally interrelated to the medium and will be statutory in most cases since use of technology permits the function of the descriptive material to be realized" – Guidelines Annex IV). That is the scope of the presently claimed computer program can range from paper on which the program is written, to a program simply contemplated and memorized by a person.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1, 3, 11-12, 19 and 20 are rejected under 35 U.S.C. 102(e) as being anticipated by Heiman (US Pub No.: 2002/0085111A1).

*In regard to **Claim 1**, Heiman teaches of a camera apparatus capable of displaying a character (See Figure 3c), comprising:*

*a photographing unit for photographing a subject for photography (Digital camera used for photography, **Paragraph 0033**);*

*an image storage unit for storing thereinto an image photographed by said photographing unit (The camera has memory for storing the image photographed, **Paragraph 0033**);*

a message storage unit for storing thereinto a plurality of messages having the same meanings, which are expressed in a first language and a second language different from said first language (The system has a message storage unit (memory device 16) that stores a plurality of messages (words) that have the same meanings.

One word is in a first language and the second word is a translation of the first word in a different/second language, ***Paragraphs 0036, 0041 and Figure 3c)****;*

a language setting unit for setting the first language and the second language in response to a request made by a user ***(****A choice of foreign languages are displayed on the display screen 14 of the camera. The user can acquire (request) a translation (second language) of the preferred first language word,* ***Paragraph 0041)****;*

a message reading unit for reading both the message of said first language and the message of said second language which corresponds to said first language message and has been set by said language setting unit from said message storage unit ***(****The user can read the message of the first language (not translated word) and the message of the second language (translated word which corresponds to the un-translated word) on the display screen 14 of the camera,* ***Paragraph 0041*** *and* ***Figure 3c)****;*

a message output unit for outputting said second language message read by said message reading unit in combination with said first language message corresponding thereto ***(****The display 14 functions as a message output unit. It outputs (displays) the second language message (translated message) in combination with the first language message,* ***See Figure 3c)****;*

In regard to ***Claim 3,*** *the reference teaches of a camera apparatus as claimed in claim 1 wherein:*

said camera apparatus is further comprised of:

a positional information acquiring unit for acquiring positional information indicative of a present position of the own camera apparatus (The camera has a GPS device that acquires positional information of the camera, ***Paragraph 0039)****;*

said language setting unit sets said second language based upon the positional information acquired by said positional information acquiring unit (Tourist information (information on the location of the camera) is provided to the camera, ***Paragraph 0039****. Based on this positional information, the user might want to know the translation of a word that is used in that region. Therefore, a translation to a preferred word can be set in accordance to the positional information,* ***Paragraphs 0034,0039 and 0041)****.*

In regard to ***Claim 11****, Heiman teaches of a message outputting method used in a camera apparatus, comprising:*

a second language setting step for setting a sort of a second language in response to a request of a user (A choice of foreign languages are displayed on the display screen 14 of the camera. The user can acquire (request) a translation (second language) of the preferred first language word, ***Paragraph 0041)****;*

a selecting step for selecting a message written in a first language (The user can select the message to be translated (first language message) from a touch screen, ***Paragraph 0041)****;*

an extracting step for extracting both a preset message written in the first language and the message written in the second language, which has been set in said second language setting step, from a plurality of messages which have the same

meanings and are expressed by different languages (The system has a message storage unit (memory device 16) that stores a plurality of messages (words) that have the same meanings. One word is in a first language and the second word is a translation of the first word in a different/second language. The words can be extracted using the touch screen 32, ***Paragraphs 0036, 0041 and Figure 3c)****; and*

an outputting step for outputting both said first language message and said second language message (The display 14 functions as a message output unit. It outputs (displays) the second language message (translated message) in combination with the first language message, ***See Figure 3c)****.*

In regard to ***Claim 12****, the reference teaches of a message outputting method as claimed in claim 11 wherein:*

said outputting step corresponds to a display step for displaying said message in a character form ***(See Figure 3c*** *(The message/word flower is shown representing a flower))****.***

Regarding ***Claim 19****, Heiman teaches of a program executed by a control unit employed in a camera apparatus for storing thereinto a plurality of messages which own the same meanings and are expressed by both a first language and a second language different from said first language wherein:*

said program is comprised of:

a processing operation for setting the second language in response to a request of a user (A choice of foreign languages are displayed on the display screen 14 of the

camera. The user can acquire (request) a translation (second language) of the preferred first language word, ***Paragraph 0041)****;*

a processing operation for selecting a message written in the first language (The user can select the message to be translated (first language message) from a touch screen, ***Paragraph 0041)****;*

a processing operation for extracting both a preset message written in the first language and the message written in the second language, which has been set in said second language setting process operation, from a plurality of messages which have the same meanings and are expressed by different languages (The system has a message storage unit (memory device 16) that stores a plurality of messages (words) that have the same meanings. One word is in a first language and the second word is a translation of the first word in a different/second language. The words can be extracted using the touch screen 32, ***Paragraphs 0036, 0041 and Figure 3c)****; and*

a processing operation for outputting both said first language message and said second language message (The display 14 functions as a message output unit. It outputs (displays) the second language message (translated message) in combination with the first language message, ***See Figure 3c)****.*

With regard to ***Claim 20****, Heiman teaches of a portable electronic apparatus capable of displaying a multilingual expression (The Digital Camera 10 is portable as shown in Figures 1 to 3a of Heiman), comprising:*

a storage unit for storing thereinto a plurality of operation (translation) information as to said portable electronic apparatus, which have the same meanings expressed by

both a first language and a second language different from said first language (The system has a message storage unit (memory device 16) that stores a plurality of messages (words) that have the same meanings. One word is in a first language and the second word is a translation of the first word in a different/second language, ***Paragraphs 0036, 0041 and Figure 3c)****;*

a setting unit for setting both the first language and the second language in response to a request of a user (A choice of foreign languages are displayed on the display screen 14 of the camera. The user can acquire (request) a translation (second language) of the preferred first language word, ***Paragraph 0041)****;*

a key inputting unit for designating desirable operation(translation) information (Touch screen 32 acts as a key for selecting a word that needs translated, ***Paragraph 0041)*** *;*

a reading unit for reading both operation information written in said first language and operation information written in said second language, which has been set by said setting unit and corresponds to said first language operation information, from said storage unit (The user can read the message of the first language (not translated word) and the message of the second language (translated word which corresponds to the un-translated word) on the display screen 14 of the camera, ***Paragraph 0041*** *and* ***Figure 3c)****; and*

a display unit for displaying thereon said second language operation information read out from the storage unit by said reading unit in combination with said first language operation information corresponding thereto at the same time (The display 14

functions as a message output unit. It outputs (displays) the second language message (translated message) in combination with the first language message, ***See Figure 3c)****.*

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 4-9 and 13-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Heiman (US Pub No.: 2002/0085111A1) as applied to claims 1 and 11 above, and further in view of Ikeida (US Pub No.: 2002/0105582A1).

With regard to ***Claims 4 and 13****, Heiman teaches of a camera apparatus as claimed in claim 1 and a message outputting method as claimed in claim 11 wherein:*

said message output unit corresponds to a display unit for displaying thereon said message in a character representing manner ***(See Figure 3c*** *(The message/word flower represents a flower))****; and***

said display unit displays both said first language message and said second language message corresponding thereto, which has been set by said language setting unit, on the same display screen at the same time ***(Figure 3c).***

However, Heiman does not teach of a voice output unit for outputting said message in a voice reproducing manner. Ikeida teach outputting a message (operation instruction) of multiple languages through sound (voice reproducing manner), ***Paragraph 0072 and 0076 of Ikeida****. It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate into Heiman the outputting of a message through sound because this way the operator of the camera can understand the function of the camera efficiently and quickly,* ***Paragraph 0079 of Ikeida****.*

In regard to ***Claim 5****, Heiman teaches of a camera apparatus as claimed in claim 1 wherein:*

Heiman teaches of outputting the first language message and the second language message corresponding to it on a display 14 ***(See Figure 3c).***

However, Heiman does not teach that the said message output unit corresponds to a voice output unit for outputting said message in a voice reproducing manner, and outputs both said first language message and said second language message corresponding thereto, which has been set by said language setting unit, in a continuous manner. Ikeida teach outputting a message (operation instruction) of multiple languages through sound, ***Paragraph 0072 and 0076 of Ikeida****. It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate into Heiman the outputting of both the first and the second message through sound because this way the operator of the camera can understand the function of the camera efficiently and quickly,* ***Paragraph 0079 of Ikeida****. It would have been obvious to output*

the first language message and second language continuously, because it would make it clear to the user that the second (translated) word corresponds to the first word.

With regard to ***Claims 6 and 14****, Heiman does not specifically teach that the said message from the camera apparatus as claimed in claim 1 and the message outputting method as claimed in claim 11 are related to an operation of the camera apparatus. Ikeida teaches of outputting instructions (messages) in various languages for operating the camera in* ***Paragraph 0076.*** *It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate into the digital camera of Heiman a word/message that represented an operation instruction of the camera in a different language than the one present, because this enabled the operator to understand the function of the camera efficiently and quickly without relying on the operation manual. This also would cut down on the cost of manufacturing a complicated operation manual,* ***Paragraph 0079 and 0080 of Ikeida****.*

In regard to ***Claims 7 and 15****, Heiman and Ikeida disclose a camera apparatus as claimed in claim 6 and a message outputting method as claimed in claim 14 wherein:*

a content of said message corresponds to a request for photographing operation (Ikeida discusses eliminating operation manuals since the operation instructions on the camera will be sufficient. Therefore, although not specifically mentioned, it would have been obvious to include operations for photographing, ***Paragraphs 0076, 0079-0080)****.*

With regard to ***Claims 8 and 16****, Heiman and Ikeida disclose a camera apparatus as claimed in claim 6 and message outputting method as claimed in claim 14 wherein:*

the content of said message corresponds to a photographing method of said camera apparatus (Ikeida discusses eliminating operation manuals since the operation instructions on the camera will be sufficient. Therefore, although not specifically mentioned, it would have been obvious to include operation instructions for a photographing method, ***Paragraphs 0076, 0079-0080)****.*

Regarding ***Claims 9 and 17****, Heiman and Ikeida disclose a camera apparatus as claimed in claim 6 and a message outputting method as claimed in claim 14 wherein:*

the content of said message (operation instruction) corresponds to an operation manual of said camera apparatus ***(Paragraphs 0079 and 0080 of Ikeida)****.*

Claims 10 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Heiman (US Pub No.: 2002/0085111A1) as applied to claims 1 and 11 above, and further in view of Ward et al. (US Patent No.: 6784924B2).

*In regard to **Claims 10 and 18**, Heiman teaches of a camera apparatus as claimed in claim 1 and a message outputting method as claimed in claim 11 that output a message on a display as shown in Figure 3c of Heiman. However, Heiman does not teach that the content of the message corresponds to a thanks message, nor does he teach that this message is displayed after a photographing operation is accomplished.*

*Ward et al. teach of displaying the words "transfer complete" on a display of the camera after a photographic operation is completed **(Column 3, Lines 60-65)**. The word "thanks" or another word expressing gratitude can easily be substituted in for the words "transfer complete" upon the completion of an operation. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate a thanks message upon the completion of a photographing operation into Heiman because this lets the user know that an operation is completed.*

Allowable Subject Matter

Claim 2 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Pritham Prabhakher whose telephone number is 571-270-1128. The examiner can normally be reached on M-F (7:30-5:00) Alt Friday's Off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Ometz can be reached on (571)272-7593. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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